

ENFORCEMENT AGAINST UNAUTHORIZED FISHING IN MARINE PARKS

Introduction

At the meeting of the Legislative Council Panel on Environmental Affairs held on 27 May 2002, the Administration undertook to provide Members with further information on the measures taken to enhance enforcement against unauthorized fishing activities in marine parks.

Background

2. The Marine Parks Ordinance does not control the entry of vessels into marine parks. However, to protect marine life and ecology, fishing activities within marine parks are strictly controlled under the Ordinance. Under a permit system, bona-fide fishermen or villagers residing in the area near a marine park are allowed to fish in the marine park and they must carry out the activities in a non-destructive manner. All other fishing activities carried out by non-permit holders (including Mainland fishermen) in marine parks are illegal. The Agriculture, Fisheries and Conservation Department (AFCD) is responsible for the control and management of marine parks, and will take enforcement actions against all unauthorized fishing activities. In addition, the Marine Police will take enforcement actions against unauthorized entry of Mainland fishing vessels into Hong Kong waters.

3. AFCD has a team of 30 field staff responsible for patrolling the land and sea areas of the existing four marine parks to ensure proper management and to take enforcement actions against unauthorized fishing and other illegal activities. The team is supported by four patrol speedboats and three vehicles.

Strategy to Combat Unauthorized Fishing

4. It is one of AFCD's priority tasks to deter unauthorized fishing in marine parks. The strategy adopted by AFCD mainly comprises -

(a) Frequent and irregular patrols supported by regular surveillance

Patrols are conducted during both daytime and night-time, including the small hours to catch unauthorized fishing activities. They are arranged at

irregular hours to avoid forming a pattern that may be easily detected by offenders. In 2001, a total of about 25,000 man-hours were spent by AFCD on patrols in marine parks. The frequent and irregular patrolling system has proved to be very effective in intercepting unauthorized fishing activities in marine parks including those conducted by Mainland fishing vessels. 139 Mainland fishing vessels were intercepted in 2001. These vessels and the Mainland fishermen were handed over to Marine Police and were escorted out of Hong Kong waters in accordance with the established procedures.

AFCD also conducts regular surveillance to check unauthorized fishing activities in marine parks. The information collected helps AFCD in devising suitable operational strategies and formulating joint enforcement operations with Marine Police in combating such activities. In addition, AFCD is now planning to engage helicopters in its surveillance work to enhance the effectiveness.

(b) Close liaison with Mainland authorities

AFCD maintains close liaison with the Guangdong Provincial Bureau of Oceans and Fisheries (GBOF) to stop Mainland fishermen from entering and fishing in marine parks in Hong Kong. When intercepting any Mainland vessels in marine parks, AFCD will inspect the identification documents of the Mainland fishermen and record their personal particulars. AFCD will then send the information to the GBOF for their follow-up actions. This mechanism has a deterrent effect. AFCD's record shows that those Mainland fishermen whose names were reported to the GBOF are rarely found fishing in marine parks again.

(c) Joint enforcement operations with Marine Police

AFCD conducts joint enforcement operations with Marine Police periodically to tackle the problem of unauthorized fishing in marine parks especially when Mainland vessels are involved. The Marine Police facilitates AFCD's enforcement work by providing them with armed support in intercepting and inspecting suspicious vessels. They can also take action against Mainland fishing vessels for entry into Hong Kong waters even though the fishermen are not caught red-handed for unauthorized fishing in marine parks.

(d) Deployment of additional resources for enforcement actions

AFCD has arranged for the recruitment of 12 additional staff to conduct pre-designation patrols and collect baseline information on existing activities at the proposed marine parks at southwest Lantau and Soko Islands with a view to taking up management and enforcement duties upon their designation. AFCD will flexibly deploy the existing manpower and resources to ensure the best results in its enforcement work.

In addition to the four existing patrol speedboats, AFCD will soon acquire two additional vessels to strengthen enforcement in the existing marine parks. A provision of \$11 million has also been allocated to AFCD for purchasing two other patrol vessels for managing the two proposed marine parks.

5. AFCD will continue to put in a strong effort to control unauthorized fishing in marine parks.

Environment, Transport and Works Bureau /
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